

**MINUTES OF PUBLIC HEARINGS AND THE
REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
AUGUST 17, 2005**

A public hearing advertised for 6:25 p.m., was called to order at 6:38 p.m. on Wednesday August 17, 2005 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana. The public hearing was delayed due to the length of the preceding public hearing.

Roll Call.

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the members of the legislative body must be in attendance. All seven members were in attendance; therefore, there was a quorum for the hearing.

The purpose of the hearing was to receive public comments regarding the petition of Tiffany Realty & Management Company, Inc. and Greater Jasper Consolidated Schools to rezone land located at 340 West 6th Street (former Jasper Middle School) from R-3 (Residential) to R-4 (Residential).

City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all amendments thereto were incorporated by reference into the record of the Public Hearing.

Notice appeared in the Herald on August 6, 2005. Notice was also posted at city hall and faxed to the news media.

Mayor Schmitt then asked for public comment and if there were any remonstrators present.

Arthur Nordhoff, Jr., Attorney for Greater Jasper Consolidated Schools, Bernie Vogler, board member for Greater Jasper Consolidated Schools and Joe Wolfla, representing Tiffany Realty & Management Company, Inc. of Jasper, were present. Mr. Nordhoff stated that the purpose for rezoning is to allow the renovation of the former Middle School into a Senior Citizen housing facility. He said the Plan Commission has recommended the rezoning.

Mr. Nordhoff reported that the school board had entered into a purchase agreement with Tiffany Realty and since then the board has received a number of concerns from individuals regarding the issue, especially fulfillment of the project. He said he has since prepared a supplement to the agreement. He explained that the supplement provides for the deed transfer to be delayed until the buyer (Tiffany) delivers letters of commitment from financial institutions and Government Agencies for full financing of the renovation to the school corporation. He further acknowledged that the supplement states that if the transfer is not completed, the seller will apply to revert to the original zoning. In addition, Mr. Nordhoff explained that the buyer has agreed that apartments will only be leased to senior citizens 55 years and older and parking spaces will apply only to the Senior Citizen Center. He said the supplement and agreement protect the school corporation, the neighborhood and the City of Jasper.

Mr. Vogler explained that he was designated by the school board to be chairman of an informal committee to find a buyer or a use for the former Middle School building. He said the school board followed legal proceedings to sell the building and had only received one creditable offer, and that was from Tiffany Realty. He stated that four years ago, demolition of the building was estimated at more than \$460,000.00. He said it was the responsibility of the school board to find a good user. He knows the neighbors are concerned about parking and said he was personally willing to work with the council to improve traffic flow and solve parking issues.

Joe Wolfla, Tiffany Realty and Management Company of Jasper, stated that he had formed a new company for this project because Housing and Urban Development (HUD) requires separate companies operate each separate entity. He said he has held two neighborhood meetings at which time he originally estimated renovation would cost approximately \$1.3 million to \$1.7 million. He said since due diligence proceedings, his engineers have discovered that the building needs some major repairs before renovation, including a new roof and removal of asbestos and base paint. Mr. Wolfla said he could not estimate exact renovation costs until bids were received, but said it could now cost \$5 million.

Councilmember Bradley Seger wanted to know if the project could still “fly” if it cost that much. He also said there were inferences made at the Planning Commission meeting that the City would step in if there were problems. Seger said it bothered him that no one in the City was contacted about the paragraph in the agreement that states that the City has a 60-day Right of Refusal to buy the building if the project fails. He said the School Board would get out of their responsibility and the City would then have to make a decision to bail the project out. He said it’s not the City’s responsibility and would make the City the “Bad Apple”. Mr. Vogler responded that the City is under no obligation and that the paragraph can be stricken from the agreement.

Councilmember Bradley Seger asked how much the renovation would cost. He said he has not seen drawings. Seger said he is not against the project if the financing is there. He said there have been a lot of numbers flying around. Mr. Nordhoff responded that the developer has to get bids and then HUD

approves the financing. He said the project would be fully financed by HUD. Thomas Schmidt stated that if there is no funding, the City does not want that building and would take the zoning back.

Councilmember Ambrose Schitter asked who would determine if it was fully funded and would there be a complete revitalization of the building. Mr. Nordhoff responded that the school board expects full renovation and that up to 75 units would be built. He further stated that HUD does not approve any funding until bids have been received. Mr. Wolfla said that if he didn't receive R-4 zoning, he would not receive HUD financing and therefore could not do the project. Councilmember Seger asked Mr. Wolfla if he had a written record from HUD saying that the rezoning was required before he could do the HUD market study. Mr. Wolfla said he had called HUD, but had not received a written record at this time.

Mr. Wolfla stated that if the financing was not provided, the building would stay with the school board. Councilmember Seger said that was the first time he had heard that. City Attorney Sandra Hemmerlein reported that she was aware of that fact. She stated that she had requested the school come up with language to help address some of the concerns that the Council members were having. Mr. Nordhoff presented copies of the agreement with the wording to which Wolfla was referring.

Councilmember Raymond Howard stated that he would also like to see in black and white that HUD required rezoning before financing could be considered. Howard also said the plans were too vague and there were too many unanswered questions.

COUNCIL MEETING CALLED TO ORDER

7:22 p.m. Mayor Schmitt requested a brief recess of the public hearing in order to open the council meeting because the meeting was advertised to begin at 7:00 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the members of the legislative body must be in attendance. All seven members were in attendance; therefore, there was a quorum for the meeting.

PUBLIC HEARING RESUMES

The public hearing concerning the rezoning of the former middle school property then continued.

Mr. Wolfla reported that he had met with HUD and they had agreed that it was a doable project. Councilmembers Schitter and Seger asked if language to the supplement could be added that clarified what complete funding included, such as a minimum number of units that would be renovated. Mr. Wolfla agreed to add language to include a minimum of 60 units.

Nan Kern, 418 W. 7th Street, said she was in favor of the renovation and said she had made a survey in the neighborhood and had received signatures of those other neighbors who were in favor of the project. She agreed to give Clerk-Treasurer Boehm a copy of the signed list. She also stated that she had undertaken a study concerning senior citizen housing in the area and had learned that Meadowood Senior Housing has been full since 2003. Also, she had learned from area nursing homes that very few assisted-living residents still drive.

Mike Cravener, 338 W. 7th Street, stated that he has attended the neighborhood meetings, but has still not seen any drawings of plans. He was concerned about loud air conditioning for that many units. He also thought an outside elevator would be an eyesore. He asked where the neighbors would go if there were problems and Tiffany doesn't do what they say they will do. City Attorney Hemmerlein responded that neighbors should come to the City if any ordinances were being violated.

Phil Gramelspacher, 333 W. 6th Street, was also concerned that there were no drawings available for such a big project and questioned how the council could approve something without proper drawings.

Councilmember Renee Kabrick asked Mr. Wolfla to provide the Council and the neighbors with some idea of what the project would look like. Mr. Wolfla responded that the neighbors had each been given a packet. Wolfla also said the outside would basically remain the same, just the inside would be renovated. He said he would not put money into the project until he had received the rezoning. He noted that a market study could cost \$12,000.00.

Councilmember Raymond Howard asked how long HUD would take to give a response to the financing and how long before HUD could provide a letter saying they required R-4 zoning before reviewing financing requests. Mr. Wolfla thought HUD would take about six months to review the request for funding and about two weeks to respond to the letter. Howard suggested delaying consideration of the rezoning until the letter was in hand. Councilmember Renee Kabrick asked the City Attorney if there would be an opportunity for the council to intervene if the council and the community were not satisfied with the plans. City Attorney Hemmerlein responded that that would be between the school board and Mr. Wolfla.

Terry Seitz, 402 W. 7th Street, stated that he was pleased that finally there was some discourse. He said he served on the committee to find a use for the building. He thought the school board should have made plans for the building before it reached this crisis situation of the roof needing repair and other deteriorating conditions. He also said he doesn't want to see the project fail, but would like to see plans.

Councilmember Ambrose Schitter asked if the school board could help fund the cost for plans in lieu of Wolfla's payment toward the building. He said it is the consensus of many that the project should go forward if there was more concrete information. He said it might save money down the road.

Bernie Vogler stated that he has never been involved in selling a school before nor dealt with HUD, but he and the school board have done the best they could. He said they have checked Mr. Wolfla's bank references, and they are good. He said the building is a landmark and would prefer that it not be torn down. He also stated that he has contacted others who have had business dealings with Mr. Wolfla and has learned that Mr. Wolfla does what he says he will do.

Mike Braun, school board member, stated that the school board has agreed to accept responsibility through completion of this project and that the onus has shifted from the City to the school board. He said he is not sure the school board can provide money upfront for the market study because of the guidelines the school board must follow. He said the supplement to the purchase agreement ensures that the things the council is concerned about will be taken care of. He said he was concerned for the project if rezoning is delayed tonight, because it is the only option likely to work. Councilmember Schitter asked if the aesthetic appearance of the building could be added as another condition to the agreement, and Mr. Braun responded that the project must meet the school board's approval could be added as another condition. Councilmember Schitter also suggested before final approval there be another meeting with the neighborhood to let them know what's going on.

Rick Stradtner, 1111 W. 13th Street, thought that everyone is caught up in the minutia and not looking at the big picture. He said the project will remove liability and maintenance expenses from the school board and will restore some tax revenue. He said this could turn a non productive asset into a productive asset. He can understand the concerns of the neighbors, but declared that there is a commitment to preserve the outside of the building as it is, and the intent is there to protect the neighborhood.

Ken Sternberg, committee member to find a use for the building, stated that he has met Joe Wolfla and his family on several occasions and has total faith in Mr. Wolfla that he will do the project right.

Councilmember Bradley Seger thanked the school board for their hard work and for the concessions they have made in the last week or so.

There were no other public comments and no remonstrators present.

Councilmember Bradley Seger asked for a recap of the changes that will be made to the supplement agreement between the school and Tiffany. Attorney Nordhoff said that the first change to the supplement was to remove the City of Jasper as having first option to purchase and the second change was that there must be full financing for at least 60 units.

On **motion** made by Councilmember Ambrose Schitter, seconded by Councilmember Renee Kabrick, and unanimously agreed, the public hearing was closed at 8:26 p.m.

COUNCIL MEETING RESUMES

A **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Thomas Schmidt to go out of order and consider the rezoning proposal at this time. Motion passed 7-0.

Rezoning Proposal/Ordinance No. 2005-21. Mayor Schmitt sought consideration of Tiffany Realty & Management Company, Inc. and Greater Jasper Consolidated School's proposal to rezone land located at 340 W. 6th Street from R-3 to R-4.

Thereafter, a **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember John Schroeder to accept the proposal to rezone land located at 340 W. 6th Street from R-3 residential to R-4 residential and adopt the rezoning ordinance for such property. Motion carried 7-0.

Mayor Schmitt stated that the ordinance would be referenced Ordinance No. 2005-21.

PUBLIC HEARING – HOGAN DEVELOPMENT CO

A public hearing advertised for 6:40 p.m., was called to order at 8:30 p.m. on Wednesday, August 17, 2005 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana. The public hearing was delayed due to the length of the preceding business.

The purpose of the hearing was to receive public comments regarding the petition of Hogan Development Co. and joined by J & M Thyen Investors, L.P. to rezone land located north of 36th Street and west of Villa Drive from R-2 (Residential) to B-1 (Business).

City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all amendments thereto were incorporated by reference into the record of this Public Hearing.

Notice appeared in the Herald on August 6, 2005. Notice was also posted at city hall and faxed to the news media.

Mayor Schmitt then asked for public comment and if there were any remonstrators present.

Bill Kaiser, Attorney for Hogan Development Co. and J & M Thyen Investors, L.P., reported that the rezoning had received a favorable recommendation from the Plan Commission. He explained that this was an amended petition. He said the original petition was for a larger tract of land, but the amended petition is just for four lots and parts of two vacated alleys. He further stated that all notices had been filed. Mr. Kaiser presented maps of the area and showed that the area is highly concentrated with retail and other businesses. Mr. Kaiser introduced Chip Sprigg and Mike Wright, representing Hogan Development. He said the developers plan to build a Walgreens Pharmacy store on the land.

Mr. Kaiser reported that the developers have spoken to the City Engineer about drainage for the development and predict drainage can be properly handled. City Engineer Chad Hurm affirmed that he had discussed City requirements concerning drainage with the developers.

There were no other comments or remonstrators.

A motion was made by Councilmember Bradley Seger and seconded by Council-member Thomas Schmidt, to close the public hearing. The motion passed 7-0 and the public hearing closed at 8:44 p.m.

COUNCIL MEETING RESUMES

A motion was made by Councilmember Ambrose Schitter and seconded by Councilmember Raymond Howard, to change the agenda and consider the rezoning of the land located north of 36th Street and west of Villa Drive. Motion passed 7-0.

Rezoning Proposal/Ordinance No. 2005-22. Mayor Schmitt sought consideration of Hogan Development Company and J & M Thyen Investors, L.P. proposal to rezone land located north of 36th Street and west of Villa Drive from R-2 to B-1.

Thereafter, a motion was made by Councilmember Bradley Seger and seconded by Councilmember John Schroeder to accept the proposal to rezone land located north of 36th Street and west of Villa Drive from R-2 residential to B-1 business and adopt the rezoning ordinance for such property. Motion carried 7-0.

Mayor Schmitt stated that the ordinance would be referenced Ordinance No. 2005-22.

PUBLIC HEARING - ORDINANCE NO. 2005-19

A public hearing advertised for 6:50 p.m., was called to order at 8:44 p.m. on Wednesday, August 17, 2005 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana. The public hearing was delayed due to the length of the preceding business.

The purpose of the hearing was to receive public comments regarding Ordinance No. 2005-19 that changes the billing factor adjustment from 90% to 100%.

Notice appeared in the Herald on July 29, 2005. Notice was also posted at city hall and faxed to the news media.

Mayor Schmitt then asked for public comment and if there were any remonstrators present.

City Attorney Sandra Hemmerlein explained benchmark 90%. She stated that in the past the utility department did not pass on the additional charges from the supplier because they did not charge us, but now the supplier does charge us so the Utility Service Board recommends the change. She said that it will mostly affect businesses and industry, but they have the ability to obtain capacitors to lower their cost. She said this is fairer for the customer, who incurs the cost, to be responsible for the charges rather than the City.

On **motion** by Councilmember Thomas Schmidt and seconded by Councilmember Ambrose Schitter, the public hearing closed at 8:48 p.m. Motion carried 7-0.

COUNCIL MEETING RESUMES

Approval of the Minutes

The following minutes were distributed to and examined by the Council:

1. July 20, 2005 regular monthly common council meeting.
2. July 20, 2005 6:50 p.m. public hearing regarding the transfer of control and management of Enlow Cemetery to the Board of Public Works and Safety and regarding a change to the fee schedule for the purchase of a plot.

A **motion** was made by Councilmember Ambrose Schitter and seconded by Councilmember Randall Buchta to approve the minutes as presented. Motion carried 7-0.

Utility Service Board. Utility Service Board Chairman Greg Krodel presented a report of the regular monthly meeting held on August 15, 2005. Copies of the minutes are supplied to each council member.

Resolution No. 2005-2 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, ADOPTING FINANCIAL SOFTWARE SYSTEMS.

Resolution No. 2005-2 adopts the financial software systems provided by KVS Information Systems, Inc.

Upon motion by Councilmember Raymond Howard, seconded by Councilmember Renee Kabrick, and unanimously approved, it was moved to read the resolution for one reading only. Thereafter, on motion made by

Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt, and unanimously approved, it was moved to have the resolution read by title only. The resolution was so read. Thereafter, upon motion made by Councilmember Bradley Seger, seconded by Councilmember Ambrose Schitter, and unanimously approved, it was moved to pass and adopt Resolution No. 2005-2.

Ordinance No. 2005-15 AN ORDINANCE ESTABLISHING POLICIES FOR OPERATION AND FEES FOR THE USE OF THE JASPER CITY CEMETERY.

Ordinance No. 2005-15 establishes policies for the operation of the City cemetery and sets fees for plots.

Upon motion by Councilmember Renee Kabrick, seconded by Councilmember Randall Buchta, and unanimously approved, the ordinance was ordered read on second reading by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Thomas Schmidt, seconded by Councilmember Ambrose Schitter, the ordinance was unanimously approved on the second reading.

During discussion, City Attorney Sandra Hemmerlein reported that the ordinance was first read on June 22, 2005 and that a public hearing had been held on July 20, 2005.

Thereafter upon motion by Councilmember Renee Kabrick, seconded by Councilmember Bradley Seger, and unanimously carried, it was moved to have the ordinance read on third and final reading by title only. The ordinance was so read. Thereafter, on motion made by Councilmember Randall Buchta, seconded by Councilmember Ambrose Schitter, Ordinance No. 2005-15 was unanimously approved on the third and final reading.

Ordinance No. 2005-19 AN ORDINANCE AMENDING ORDINANCE NO. 1996-4 ENTITLED AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 1992-16, WHICH AMENDED ORDINANCE NO. 1991-42, WHICH AMENDED ORDINANCE NO. 1988-31, WHICH AMENDED ORDINANCE NO. 1114, BEING "AN ORDINANCE ESTABLISHING A TARIFF OR ELECTRIC LIGHT AND POWER RATES AND RULES AND REGULATION GOVERNING THE SAME, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH" AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES AMENDATORY THEREOF IN CONFLICT HEREWITH

Ordinance No. 2005-19 changes the billing power factor adjustment from 90% to 100%.

The ordinance was read on first reading on July 20, 2005 and a public hearing was held earlier this evening.

Upon motion by Councilmember Renee Kabrick, seconded by Councilmember Ambrose Schitter, and unanimously approved, the ordinance was ordered read on second reading by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Thomas Schmidt, seconded by Councilmember Renee Kabrick, the ordinance was unanimously approved on the second reading.

Thereafter upon motion by Councilmember John Schroeder, seconded by Councilmember Ambrose Schitter, and unanimously carried, it was moved to have the ordinance read on third and final reading by number only. The ordinance was so read. Thereafter, on motion made by Councilmember Bradley Seger, seconded by Councilmember Ambrose Schitter, Ordinance No. 2005-19 was unanimously approved on the third and final reading.

Rezoning Proposal/Ordinance No. 2005-20.

On motion by Councilmember Bradley Seger and seconded by Councilmember Renee Kabrick, consideration of the proposal of Paul E. Schmitt, Patricia E. Kiefer, Jerome H. Kerstiens and Doris A. Kerstiens to rezone 40 acres located at the northeast and northwest corners of the intersection of County Road 400 North and Portersville Road from R-R to PUD was tabled as per the request of the petitioners. Motion passed 7-0.

Ordinance No. 2005-23 AN ORDINANCE AMENDING ORDINANCE NO. 2004-37 ENTITLED ‘AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE UTILITY EMPLOYEES OF THE CITY OF JASPER, INDIANA, FOR THE YEAR 2005’.

Ordinance No. 2005-23 adds the General Manager position to the 2005 utility salary ordinance.

Upon motion by Councilmember Thomas Schmidt, seconded by Councilmember Raymond Howard and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Renee Kabrick, seconded by Councilmember Ambrose Schitter and unanimously approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Randall Buchta, seconded by Councilmember Thomas Schmidt, it was moved to pass and adopt Ordinance No. 2005-23. The measure passed 7-0.

Ordinance No. 2005-24 AN ORDINANCE AMENDING SECTION 6 (1) OF ORDINANCE NO. 546 ENTITLED AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA—STOP INTERSECTIONS DESIGNATED.

Ordinance No. 2005-24 designates stop intersections

Upon motion by Councilmember Ambrose Schitter, seconded by Councilmember John Schroeder and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Renee Kabrick, seconded by Councilmember Thomas Schmidt and unanimously

approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Raymond Howard, seconded by Councilmember Ambrose Schitter, it was moved to pass and adopt Ordinance No. 2005-24. The measure passed 7-0.

During discussion, City Engineer Chad Hurm reported that he had undertaken a traffic study in recently annexed areas.

Ordinance No. 2005-25 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA FOR THE YEAR ENDING DECEMBER 31, 2005.

Ordinance No. 2005-25 additional appropriations for the 2005 year.

The ordinance was introduced upon motion by Councilmember Renee Kabrick, seconded by Councilmember Ambrose Schitter, and unanimously approved, to read the ordinance by title only on first reading. The ordinance was so read. Thereafter, on motion made by Councilmember Ambrose Schitter and seconded by Councilmember Thomas Schmidt, Ordinance No. 2005-25 was unanimously approved on first reading.

During discussion, Clerk-Treasurer Juanita Boehm explained the ordinance.

Ordinance No. 2005-26 AN ORDINANCE APPROPRIATING MONEY FOR THE CITY OF JASPER, INDIANA FOR THE YEAR 2006.

Ordinance No. 2005-26 budget appropriations for 2006.

The ordinance was introduced upon motion by Councilmember Renee Kabrick, seconded by Councilmember Thomas Schmidt, and unanimously approved, to read the ordinance by title only on first reading. The ordinance was so read. Thereafter, on motion made by Councilmember Ambrose Schitter and seconded by Councilmember Randall Buchta, Ordinance No. 2005-26 was unanimously approved on first reading.

During discussion, Councilmember Bradley Seger asked if assessed value totals were available. Clerk-Treasurer Juanita Boehm responded that the Department of Local Government Finance did not have final figures as of yet and had advised the City to use 95% of the amount provided by the county auditor, which would be \$820 million. She stated that the advertised amount last year was \$765 million. Boehm reported that based on the \$820 million, the advertised tax rate would be .6817, whereas last year the advertised rate was .6933 but the actual number could come in at .6102, which is a 2% decrease over last year. She said the numbers predict an 8% growth in assessed value.

Ordinance No. 2005-27 AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE CITY OF JASPER, INDIANA, FOR THE YEAR ENDING DECEMBER 31, 2006.

Ordinance No. 2005-27 establishes the tax rate to be advertised for the year 2006.

The ordinance was introduced upon motion by Councilmember Renee Kabrick, seconded by Councilmember Thomas Schmidt, and unanimously approved, to read the ordinance by title only on first reading. The ordinance was so read. Thereafter, on motion made by Councilmember Ambrose Schitter and seconded by Councilmember Randall Buchta, Ordinance No. 2005-27 was unanimously approved on first reading.

During discussion, Clerk-Treasurer Juanita Boehm explained that the advertised rate would be .6817 and last year the rate advertised was .6933.

Ordinance No. 2005-28 AN ORDINANCE AMENDING ORDINANCE NO. 2004-36 ENTITLED AN ORDINANCE ESTABLISHING CONTRIBUTION REQUIREMENTS FOR DEVELOPERS AND NEW USERS OF THE JASPER SEWAGE WORKS.

Ordinance No. 2005-28 changes the way sewer system extensions are inspected and turned over to the City.

Upon motion by Councilmember Ambrose Schitter, seconded by Councilmember Thomas Schmidt, and unanimously approved, it was moved to read the ordinance for one reading only. Thereafter, on motion made by Councilmember Renee Kabrick, seconded by Councilmember Bradley Seger, and unanimously approved, it was moved to have the ordinance read by title only. The ordinance was so read. Thereafter, upon motion made by Councilmember Randall Buchta, seconded by Councilmember Renee Kabrick, and unanimously approved, it was moved to pass and adopt Ordinance No. 2005-28. During discussion, City Attorney Sandra Hemmerlein reported that the Utility Service Board had recommended the changes to the ordinance.

Smoke-Free Forum. Mayor Schmitt explained the format to be used during the public forum on a Smoke-Free Community to be held on Monday, August 29, 2005 from 6:30 to 8:30 p.m. at the Jasper Arts Center. Councilmember Raymond Howard asked if information was available from other communities who had recently proposed Smoke-Free ordinances. City Attorney Sandra Hemmerlein agreed to provide copies.

Adjournment

There being no further business to come before the board, a **motion** was made by Councilmember Thomas Schmidt and seconded by Councilmember Renee Kabrick to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 9:43 p.m.

**William J. Schmitt, Mayor
Presiding Officer**

ATTEST:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary